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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/702,407	10/31/2000	Steven T. Kelling	10845-131	1216

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EXAMINER

FLEURANTIN, JEAN B

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 03/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

SM.

Office Action Summary

Application No.

09/702,407

Applicant(s)

KELLING ET AL.

Examiner

Jean B Fleurantin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

1. Claims 1-24 are presented for examination.

Information Disclosure Statement

2. The references cited in the information disclosure statement, PTO-1449, have been fully considered.

Drawings

3. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 U.S.C. § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-9 and 11-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dunworth (US Patent No. 5,930,474), submitted by the Applicant ("Dunworth").

As per claim 1, Dunworth teaches a computer-implemented method for aggregating and expressing geographically-linked data provided by a plurality of observers (see col. 6, lines 2-3), as claimed comprises the steps of providing an interactive map capable of receiving location and associated data over the internet from said plurality of observers (thus, the ethernet link 110 communicates with a port server 112 a web organizer server 114, an email server 116, a news

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server 118, as well as other servers; which is equivalent to providing an interactive map capable of receiving location and associated data over the internet from said plurality of observers)(see col. 6, lines 24-26);

b) receiving a first location and first associated data from a first observer (thus, the user is presented with the option of accessing topically organized information from among several topic selections; which is equivalent to receiving a first location and first associated data from a first observer)(see col. 2, lines 45-47);

c) storing said location and said first associated data in a database as data records (thus, the geography database 210 and the map file 425 are accessible as if they constituted a single database using industry-standard image map programs, to store topical information references relating to each geographical search; which is readable as storing said location and said first associated data in a database as data records)(see col. 13, lines 54-59);

d) receiving a second location and second associated data from a second observer (thus, when the user selects a geographic area 'from the decision block 205 of figure 2', the system of the preferred embodiment processes this request and provides the request to a search engine which searches the geography database 210 and cooperates with the search engine in order to generate the appropriate html page for display to the user, for example such a page is depicted in figure 12, the geography database 210 includes the information to be displayed while another database called the yellow page list description configuration database includes the display format information, the search engine combines the information from the geography database

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210 and the yellow page list description configuration database to generate the html document; which is readable as receiving a second location and second associated data from a second observer)(see col. 10, lines 44-58);

e) repeating steps c) and d) with said second location and second associated data (see cols. 2-3, lines 65-2);

f) receiving a spatial query from a user specifying at least one location on said interactive map (thus, when the an image map query is initiated, this indicates that a reference map 'i.e., either an actual map or a caricature or icon map' is associated with the specific geographic area selected by the user; which is equivalent to receiving a spatial query from a user specifying at least one location on said interactive map)(see col. 13, lines 11-14); and

g) providing the data records associated with the user specified at least one location (thus, the data stored within the geographic database 210 further includes label fields 1315 which include text fields shown to the user as folder titles 'i.e., listed areas under the selected geographic area' for each of the parent geographic entries related to the current entry; which is equivalent to providing the data records associated with the user specified at least one location)(see col. 19, lines 46-50). But, Dunworth does not explicitly indicate whereby data records received from the plurality of observers may be stored according to geographical location and retrieved for study according to a geographical-based query. However, Dunworth implicitly indicates a computer network wherein a plurality of computers have access to the computer network and an organizer executing in the computer network, the organizer is configured to

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receive search requests from any one of the plurality of computers, the organizer comprises a database of information organized into a hierarchy of geographical areas, the information corresponding to each one of the hierarchy of geographical areas is further organized into topics, the organizer further comprises a search engine in communication with the database; which is readable as whereby data records received from the plurality of observers may be stored according to geographical location and retrieved for study according to a geographical-based query, (see cols. 2-3, lines 65-12). Further, in column 13, lines 11 through 114, Dunworth teaches when the an image map query is initiated this indicates that a reference map 'i.e., either an actual map or a caricature or icon map' is associated with the specific geographic area selected by the user. Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teaching of Dunworth with whereby data records received from the plurality of observers may be stored according to geographical location and retrieved for study according to a geographical-based query. This modification would allow the teaching of Dunworth to improve the accuracy and the reliability of the method and apparatus for collecting and expressing geographically referenced data, and provide a geographical search area containing topical information (see col. 3, lines 11-12).

As per claim 2, Dunworth teaches a method as claimed further comprises the step of translating said first location to one or more map coordinate points; and wherein said step of storing said first location further comprises storing said map coordinate points in said database (thus, the user selects a point to visit within the image by using the mouse point-and-click

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selection method, the image map mouse coordinates are then transmitted via the internet link 305 to a Netscape server, within the Netscape server the image map mouse coordinates are sent to a standard common gateway interface program 420 which translates the image map mouse coordinates into a url reference, the image map program 420 acts to read a map file 425 in order to obtain a url reference that matches the mouse click coordinates; which is readable as translating said first location to one or more map coordinate points; and wherein said step of storing said first location further comprises storing said map coordinate points in said database)(see col. 13, lines 35-47).

As per claim 3, Dunworth teaches a method as claimed further comprises the step of translating said first location to a line; and wherein said step of storing said first location further comprises storing said line in said database (thus, locating on-line information comprising the steps of organizing a database of on-line information into a plurality of geographical areas, organizing the information corresponding to the plurality of geographical areas into one or more topics; which is readable as translating said first location to a line; and wherein said step of storing said first location further comprises storing said line in said database)(see col. 4, lines 14-18).

As per claim 4, Dunworth teaches a method as claimed further comprises the step of translating said first location to a polygon; and wherein said step of storing said first location further comprises storing said polygon in said database (see col. 4, lines 14-18).

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As per claim 5, Dunworth teaches a method as claimed wherein said second location overlaps said first location (thus, the area of large expanse includes a plurality of areas of intermediate expanse and the area of intermediate expanse includes a plurality of areas of small expanse; which is readable as overlaps said first location)(see col. 3, lines 54-56).

As per claims 6 and 16, in addition to the discussion in claim 5, Dunworth teaches further steps of receiving a user-specified link factor (see col. 6, lines 46-52);

j) selecting data records from said database using said first link factor (see col. 6, lines 60-64).

As per claim 7, Dunworth teaches a method as claimed further comprises the step of providing a plurality of references to each of said locations in said interactive map, any one of said plurality of references to be used as a location point specifier (see col. 4, lines 14-18).

As per claim 8, Dunworth teaches a method as claimed wherein the step of providing a plurality of references further comprises displaying a list of available references for a user-specified location on the interactive map (thus, displaying the topics associated with the geographical search area, which is equivalent to displaying a list of available references for a user-specified location on the interactive map)(see col. 4, lines 14-23).

As per claim 9, Dunworth teaches a method as claimed wherein said interactive map has a plurality of layers and said at least one location is specified according to layer (thus, the hierarchy has a structure comprising plural geographical levels into which the geographical areas are geographically categorized by size to provide a low level, one or more intermediate levels and

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a high level, each of the geographical levels above the lowest level encompasses a plurality of lower level geographical areas; which is readable as wherein said interactive map has a plurality of layers and said at least one location is specified according to layer)(see col. 3, lines 18-25).

As per claims 11 and 12, Dunworth teaches a method as claimed wherein said plurality of references includes a place name (see col. 22, lines 36-38).

As per claim 13, the limitations of claim 13 are rejected in the analysis of claim 1, and this is rejected on that basis.

As per claims 14 and 15, the limitations of claims 14 and 15 are rejected in the analysis of claim 6, and these are rejected on that basis.

As per claim 17, in addition to the discussion in claim 1, Dunworth further teaches b) receiving a plurality of locations and a plurality of associated data (thus, a computer network wherein a plurality of computers have access to the computer network and an organizer executing in the computer network, the organizer is configured to receive search requests from any one of the plurality of computers, the organizer comprises a database of information organized into a hierarchy of geographical areas; which is readable as receiving a plurality of locations and a plurality of associated data)(see cols. 2-3, lines 65-6);

c) translating said plurality of locations to one or more map coordinate points (thus, the image map mouse coordinates are then transmitted via the internet link 305 to a Netscape server, within the Netscape server the image map mouse coordinates are sent to a standard common gateway interface program 420 which translates the image map mouse coordinates into a url

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reference, the image map program 420 acts to read a map file 425 in order to obtain a url reference that matches the mouse click coordinates; which is equivalent to translating said plurality of locations to one or more map coordinate points)(see col. 13, lines 35-47);

d) storing said one or more map coordinate points and said plurality of associated data in a database as data records (see col. 13, lines 57-61).

As per claim 18, in addition to the discussion in claims 1 and 17, Dunworth further teaches c) accepting locations and associated data from said plurality of observers (thus, the ethernet link 110 communicates with a port server 112 a web organizer server 114, an email server 116, a news server 118, as well as other servers; which is readable as accepting locations and associated data from said plurality of observers)(see col. 6, lines 24-26);

d) translating said locations to map coordinates points (thus, an image map query may be a geographical or topical query which is made by clicking a system mouse button while the mouse pointer is positioned over selected coordinates of a graphical image, which is readable as translating said locations to map coordinates points)(see col. 13, lines 20-31);

e) relating said associated data to bird observation sites using said map coordinate points (thus, the image map mouse coordinates are then transmitted via the internet link 305 to a Netscape server, within the Netscape server the image map mouse coordinates are sent to a standard common gateway interface program 420 which translates the image map mouse coordinates into a url reference, the image map program 420 acts to read a map file 425 in order to obtain a url reference that matches the mouse click coordinates; which is readable as relating

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said associated data to bird observation sites using said map coordinate points)(see col. 13, lines 35-47); and,

f) storing said associated data in a database at respective related bird observation sites (thus, store topical information references relating to each geographical search, which is readable as storing said associated data in a database at respective related bird observation sites)(see col. 13, lines 57-61).

As per claim 19, in addition to the discussion in claims 1 and 18, Dunworth further teaches h) accessing said database for data records associated with said at least one bird observation site (thus, the user is presented with the option of accessing topically organized information from among several topic selections; which is readable as accessing said database for data records associated with said at least one bird observation site)(see col. 2, lines 45-47); and

I) creating a report from data records found in step h)(see col. 2, lines 54-58).

As per claim 20, the limitations of claim 20 are rejected in the analysis of claim 18, and this claim is rejected on that basis.

As per claim 21, in addition to the discussion in claim 17, Dunworth teaches a computer-implemented method for collecting data from at least one of a plurality of points of interest, the location of the one point being initially undetermined, the collected data being indicative of an event occurring at the one point of interest (see cols. 8-9, lines 60-4), as claimed said method comprises the steps of b) processing the relative position of the one point of interest with respect to the one reference point to provide geographic coordinates of the one point of

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interest (thus, wherein a plurality of computers have access to the computer network and an organizer executing in the computer network, the organizer is configured to receive search requests from any one of the plurality of computers, the organizer comprises a database of information organized into a hierarchy of geographical areas, the information corresponding to each one of the hierarchy of geographical areas is further organized into topics, the organizer further comprises a search engine in communication with the database; which is readable as processing the relative position of the one point of interest with respect to the one reference point to provide geographic coordinates of the one point of interest)(see cols. 2-3, lines 65-12); and

c) associating the geographic coordinates with the data related to the one point of interest (thus, for each parent geographic entries related to the current entry, which is readable as associating the geographic coordinates with the data related to the one point of interest)(see col. 19, lines 46-50). Further, in column 8, lines 40 through 48, Dunworth teaches the user may desire to obtain information about some geographic area other than the area local to the user or the user may desire to obtain information about geographic areas within a particular city such as points of interest within Los Angeles, if it is determined within the decision block 205 that the user has selected another geographic area then a geography database 210 is accessed in order to call up the geographic information associated with the selection made by the user.

As per claim 22, in addition to the discussion in claim 21, Dunworth further teaches the location of the plurality of points of interest being initially undetermined (see col. 10, lines 25-30), as claimed said method comprises the steps of a) downloading over the network upon

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request of at least one of the plurality of data gatherers at least one geographically referenced map to the one data gatherer (see col. 10, lines 44-51), the one geographically referenced map including at least one reference point whose geographic coordinates are known and is adapted to receive a mark inputted by the data gatherer and indicative of the relative position of the one point of interest (thus, each point of interest within a city, by means of the geography database 210 a user may ascend or descend in the geography to the particular geographic area about which information is desired; which is readable as geographically referenced map including at least one reference point whose geographic coordinates are known and is adapted to receive a mark inputted by the data gatherer and indicative of the relative position of the one point of interest)(see cols. 8-9, lines 60-4);

b) receiving at the centrally disposed data base the mark and the data related to the mark (thus, a determination is made if the user has selected a local content topic, which is equivalent to receiving at the centrally disposed data base the mark and the data related to the mark)(see col. 9, lines 9-12); and

c) processing the relative position of the one point of interest with respect to the one reference point to provide the geographic coordinates of the one point of interest (thus, the organizer comprises a database of information organized into a hierarchy of geographical areas, the information corresponding to each one of the hierarchy of geographical areas is further organized into topics, the organizer further comprises a search engine in communication with the database; which is readable as whereby data records received from the plurality of observers may

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be stored according to geographical location and retrieved for study according to a geographical-based query)(see col. 3, lines 4-12).

As per claim 23, the limitations of claim 23 are rejected in the analysis of claim 22, and this is rejected on that basis.

As per claim 24, in addition to the discussion in claim 21, Dunworth further teaches a constructing the database to have a plurality of storage locations, each of said storage locations being dedicated to receive data from a corresponding one point of interest and addressable in accordance with the geographic coordinates of the corresponding one point of interest (thus, each point of interest within a city, by means of the geography database 210 a user may ascend or descend in the geography to the particular geographic area about which information is desired; which is readable as each of said storage locations being dedicated to receive data from a corresponding one point of interest and addressable in accordance with the geographic coordinates of the corresponding one point of interest)(see cols. 8-9, lines 60-4);

d) addressing one of the storage locations according to the geographic coordinates of the one point of interest (thus, a computer network wherein a plurality of computers have access to the computer network and an organizer executing in the computer network, the organizer is configured to receive search requests from any one of the plurality of computers, the organizer comprises a database of information organized into a hierarchy of geographical areas; which is readable as addressing one of the storage locations according to the geographic coordinates of the one point of interest)(see cols. 2-3, lines 65-6); and

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e) inputting data relative to the one point of interest into the addressed storage location (thus, store topical information references relating to each geographical search; which is readable as inputting data relative to the one point of interest into the addressed storage location)(see col. 13, lines 54-59).

5. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dunworth (US Patent No. 5,930,474) in view of Wills (US Patent No. 6,202,065) ("Dunworth"), ("Wills").

As per claim 10, Dunworth teaches the claimed subject matter except the claimed wherein said plurality of references includes longitude and latitude. However, teaches a file of place names with their distinguishing attributes and geographical coordinates such as latitude and longitude, (see col. 3, lines 36-47). Thus, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Dunworth and Wills with references includes longitude and latitude. This modification would allow the teachings of Dunworth and Wills to improve the accuracy and the reliability of the method and apparatus for collecting and expressing geographically referenced data.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Livshutz et al. US Pat. No. 6,112,200 relates to method and system for facilitating access to and use of geographic data used with a navigation application program that provides navigating features. Marcus et al. US Pat. No. 6,295,528 relates to geographic database queries.

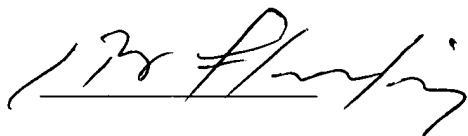
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Conclusion

7. Any inquiry concerning this communication from examiner should be directed to Jean Bolte Fleurantin at (703) 308-6718. The examiner can normally be reached on Monday through Friday from 7:30 A.M. to 6:00 P.M.

If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Mrs. KIM VU can be reached at (703) 305-8449. The FAX phone numbers for the Group 2100 Customer Service Center are: *After Final* (703) 746-7238, *Official* (703) 746-7239, and *Non-Official* (703) 746-7240. NOTE: Documents transmitted by facsimile will be entered as official documents on the file wrapper unless clearly marked "***DRAFT***".


Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2100 Customer Service Center receptionist whose telephone numbers are (703) 306-5631, (703) 306-5632, (703) 306-5633.



Jean Bolte Fleurantin

February 20, 2003

JBf/



JEAN M. CORRIELUS
PRIMARY EXAMINER